



WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/02/2023

PRESENT

The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA

CRL OP(MD) . No.3231 of 2023

Satheesh @ Karuppasamy

... Petitioner/Accused No.2

Vs

The State Rep.by
The Inspector of Police,
Kadayanallur Police Station,
Tenkasi District
In Crime No.202 of 2010

... Respondent/Complainant

For Petitioner : Mr.C.Saravanakumar
For Respondent : Mr.P.Kottai Chamy
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.202 of 2010 on the file of the respondent police in P.R.C.No.6 of 2017 on the Judicial Magistrate Court, Tenkasi.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest pursuant to issuance of Non Bailable Warrant in Crime No.202 of 2010 in P.R.C.No.6 of 2017 on the Judicial Magistrate Court, Tenkasi, seeks anticipatory bail.

2. The learned counsel for the petitioner would submit that the petitioner was originally granted bail and thereafter without issuing any summons, the committal court has issued Non Bailable Warrant of arrest against him. He prays for grant of anticipatory bail.

3. The learned Government Advocate (Crl.side) would submit that the petitioner was originally granted bail and thereafter, he had absconded and totally there are 5 accused in this case and in respect of other 4 accused, the case has been split up and since the petitioner had absconded, the learned Judicial Magistrate, Tenkasi, has issued Non Bailable Warrant of arrest against the petitioner



and therefore, the petitioner may be directed to surrender and file an application to recall Non Bailable Warrant and he opposed for grant of anticipatory bail.

4. Considering the facts and circumstances of the case, a direction is issued to the petitioner to surrender before the trial court and file an application in P.R.C.No. 6 of 2017 on the file of the learned Judicial Magistrate, Tenkasi to recall Non Bailable Warrant and on such application being filed, the learned Magistrate is directed to consider and pass orders on the same day by considering the merits of the case. This petition is disposed of accordingly.

sd/-
23/02/2023

/ TRUE COPY /

/03/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDICIAL MAGISTRATE,
TENKASI.
- 2 DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI.
- 3 THE INSPECTOR OF POLICE
KADAYANALLUR POLICE STATION,
TENKASI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.3231 of 2023
Date :23/02/2023

MGJ/BUC/SAR III/09/03/2023/2P/5C